

Date: Sat, 7 May 94 04:30:14 PDT
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: Bulk
Subject: Ham-Policy Digest V94 #195
To: Ham-Policy

Ham-Policy Digest Sat, 7 May 94 Volume 94 : Issue 195

Today's Topics:

2 meter lingo publication
[News] FCC Gets New Weapon
Gilder's Concerns
Music allowed on ham bands??

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

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We trust that readers are intelligent enough to realize that all text herein consists of personal comments and does not represent the official policies or positions of any party. Your mileage may vary. So there.

Date: 6 May 1994 15:08:35 GMT
From: ihnp4.ucsd.edu!agate!cat.cis.Brown.EDU!NewsWatcher!user@network.ucsd.edu
Subject: 2 meter lingo publication
To: ham-policy@ucsd.edu

In article <LEVIN.94May5165528@medea.bbn.com>, levin@bbn.com wrote:

> In article <1994May5.191510.27823@cs.brown.edu> md@maxcy2.maxcy.brown.edu
(Michael P. Deignan) writes:
> I'm currently working on a publication entitled "The 2-meter Lingo
> Guide: A Handbook For The New Ham". I'm looking for various
> [etc]
>
> The same old song again. Clown.

I think he's trying to demonstrate the absurdity of what happens on 2m. One of these days you'll have to come to RI and listen in.

--
== Anthony_Pelliccio@Brown.edu (Tony Pelliccio, KD1NR)
== Box 1908, Providence, RI 02912 Tel. (401) 863-1880
== All opinions expressed are those of the individual, and not those
== of Brown University.

Date: Thu, 5 May 1994 16:41:06 GMT
From: newsgate.melpar.esys.com!melpar!phb@uunet.uu.net
Subject: [News] FCC Gets New Weapon
To: ham-policy@ucsd.edu

Erich Franz Stocker <stocker@spso.gsfc.nasa.gov> writes:

>IMHO this view is what is wrong with this country to a very large
>measure. I don't know why someone else should be penalized for
>your transgressions. It isn't the salesperson's responsibility to
>ensure that you operate within the rules. It isn't his/her responsibility

Well, I don't know for sure whether the salesman is *legally*
bound or not; depends on FCC (or other government agency) rules.
I do agree that the salesman should not be prosecuted if there is
no *legal* requirement for him to inform the customer of licensing
requirements.

>to ensure that you know the rules. You have the legal responsibility
>for finding out and complying with any transmission laws or
>regulations. The salesperson just has a legal obligation not to
>mislead you about the nature of the product or its use.

OK, but just *how* is joe-average-citizen supposed to *know*
that he needs to find out about a license? If the salesman doesn't
inform him, and if there isn't some kind of documentation supplied
with the radio that tells him, how will he know? I'll wager that
95% of the population don't have a clue about "radio licensing,"
especially since 27 MHz CB licenses were done away with years ago.
So, he buys a radio and just proceeds to use it the same as he would
his Radio Shack CB rig. How can he be held responsible? He bought
the radio just like he'd buy a CD player or a VCR or a toaster oven;
nothing he learned in grade school or high school or college told
him "you need a license to operate a marine band radio." SOMEBODY,
either the manufacturer OR the dealer, *has* to do that.

As I said above, the salesman may not have a *legal* obligation,
but he certainly has a moral one; unless, of course, he's just
trying to sell radios as fast as possible. Telling someone they
need a license might kill a potential sale.....

>This is the same garbage that they have done to bartenders. Holding
>a bartender responsible for controlling the patron's drinking is
>stupid. We are all, once again, going to have to take responsibility
>for our own actions rather than finding others to blame.

Ah, but there's the rub; some people *won't* take responsibility, which is why we have people with multiple drunk driving offenses who still drive. I understand that in some foreign countries (and I may be misinformed) that you must turn over your car keys when you enter the bar; if the management feels you have had too much to drink, they won't give them back and instead call a cab. But I agree that it isn't fair to prosecute bartenders.....

To reiterate my points as originally intended:

- 1) Hams, or anyone else who is *licensed* and transgresses, deserve the maximum penalty. They have no excuse.
- 2) Some form of *notification* should be provided to a buyer to tell him/her that a license is required. Perhaps the dealer should have that responsibility (legally), or perhaps the manufacturer of the equipment. If that notification isn't provided, however, it is *unfair* to exact the same penalty on the unsuspecting buyer as on a ham or commercial licensee who commits the same offense (operating on unauthorized frequencies, or whatever).

But I do appreciate your comments and your feelings.

Cheers,

Paul Bock

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** G **
* * * * We meet upon the level, and we part upon the square
* * * *

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Date: Thu, 5 May 1994 17:59:59 GMT
From: ihnp4.ucsd.edu!usc!howland.reston.ans.net!wupost!gumby!calvin!ursa!
mmcdon46@network.ucsd.edu
Subject: Gilder's Concerns

To: ham-policy@ucsd.edu

Gilder has certainly raised some very important questions--and I wonder what the FCC has in mind for the HF bands. Additionally, if the Steinbrecher radios are operating on principles that are far beyond traditional RF theory, does the Amateur Radio community have any kind of a future, or do we simply hold on to these outdated notions of exclusivity of frequencies? It seems the Amateur community is indeed stuck in the analog mode and will not be coming out soon. These technological leaps transcend the notions of a set of frequencies that Amateurs can call their own.

Will there be any discussion of these questions when the ITU treaty comes up for renewal in the next few years? What will our beloved FCC establish as a negotiating position re amateur exclusivity in HF? Will the ARRL and other Amateur groups have to bid to hold on to this seemingly outmoded idea of exclusive frequencies? Will the 20m band actually sound civilized again?

de AA8MG
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Date: Fri, 6 May 1994 15:43:12 GMT
From: ihnp4.ucsd.edu!usc!math.ohio-state.edu!cyber2.cyberstore.ca!nntp.cs.ubc.ca!
newsxfer.itd.umich.edu!zip.eecs.umich.edu!yeshua.marcam.com!news.kei.com!world!
howi@network.ucsd.edu
Subject: Music allowed on ham bands??
To: ham-policy@ucsd.edu

Having nothing better to do, I was reading sections of the Communications Act of 1934, as amended, and came across some stuff that if I'm interpreting correctly, is different from what I always assumed the ham rules to be.

Section 97.113(a)(4) says:
"No amateur shall transmit:

...
Music using a phone emission except as specifically provided elsewhere in this Section."

My layman's reading of this says that therefore it's perfectly legal to send digitally encoded music, i.e. not a phone emission, as long as you're using an accepted coding and it's part of a two-way QSO.

Similarly, 97.113(a)(4) also says:

"No amateur shall transmit:

... obscene or indecent words or language."

This says to me that images are not covered here. In that case obscenity would only be covered by the Constitution and applicable Federal and local laws. That would allow you to transmit, say, a GIF of a Playboy-style photo, since they are not considered obscene under general law.

Let me add that I'm not advocating or planning to do either; I was just wondering if my interpretations are correct.

73 ...howie

wb2cpu@world.std.com

End of Ham-Policy Digest V94 #195
